

1 Hon. Richard A. Jones  
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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 FELIPE DELATORE-ZARATE  
14 aka CEBOLLO,

15 Defendant.

No. CR08-0147 RAJ

MOTION AND ORDER  
TO DISMISS INDICTMENT  
WITHOUT PREJUDICE

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17 The United States of America, by and through Jeffrey C. Sullivan, United States  
18 Attorney for the Western District of Washington, and Lisca Borichewski, Assistant  
19 United States Attorney, moves this Court for a dismissal without prejudice of the  
20 Indictment in the above-entitled matter. This motion, brought pursuant to F.R.Cr.P. 48, is  
21 presented because a First Superseding Indictment has been returned in a related case,  
22 United States v. Jesus Orozco-Carrazco, et al., CR08-144JLR, which charges the defendant  
23 for the conduct encompassed in this Indictment. In case CR08-144JLR, the defendant is  
24 charged under the name FELIPE DE LA TORRE-ZARATE, a/k/a Cebollo.  
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1           Therefore, the government moves to dismiss without prejudice United States v. John  
2       Doe, CR08-147RAJ, as this matter is subsumed into United States v. Jesus Orozco-  
3       Carrazco, et al., CR08-144JLR.

4           DATED this 22nd day of July, 2008.  
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6           JEFFREY C. SULLIVAN  
7       United States Attorney

8           s/ Lisca Borichewski  
9       LISCA BORICHEWSKI  
10      Assistant United States Attorney

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16      Washington State Bar No. 24300

17           **ORDER**

18      This matter having come on before the undersigned court on the Government's  
19      Motion to Dismiss without Prejudice, pursuant to F.R.Cr.P. 48, the Court having considered  
the Motion and files and records, now therefore,

20      DISMISSES WITHOUT PREJUDICE the above-entitled Indictment as the conduct  
21      charged is subsumed into United States v. Jesus Orozco-Carrazco, et al., CR08-144JLR.

22      IT IS SO ORDERED.

23      DATED the 5<sup>th</sup> day of August, 2008.

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26      The Honorable Richard A. Jones  
          United States District Judge